

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JUAN GÓMEZ-ARIAS,

Petitioner-Plaintiff,

No. 20-CV-00857-MV-KK

vs.

IMMIGRATION AND CUSTOMS ENFORCEMENT,
COREY PRICE, in his official capacity as Director,
El Paso Field Office; and DORA OROZCO, in her official
capacity as Warden, Otero County Processing Center,

Respondents-Defendants.

ORDER


THIS MATTER comes before the Court on Plaintiff Juan Gómez-Arias' ("Plaintiff's") Motion for a Temporary Restraining Order (TRO). Doc. 3. In his motion, Plaintiff requests oral argument and does not ask the Court to issue a TRO without notice to the opposing parties under Rule 65(b) of the Federal Rules of Civil Procedure. *See id.* Nor does Plaintiff "certif[y] in writing any efforts made to give notice [to the opposing parties] and the reasons why it should not be required." Fed. R. Civ. P. 65(b)(1)(B). The Court accordingly finds no grounds to issue the requested TRO on an *ex parte* basis without notice to Defendants. It will, however, order an expedited briefing schedule on the motion, as set forth below.

IT IS THEREFORE ORDERED that:

1. Plaintiff must effect service of a copy of this Order, together with Plaintiff's Motion for a Temporary Restraining Order [Doc. 3] and Plaintiff's Petition for Writ of Habeas Corpus and Complaint for Injunctive Relief [Doc. 1], and any attachments thereto, to be received by Defendants **no later than 5:00 p.m. Mountain Standard Time (MST) on Thursday, August 27, 2020**, notwithstanding any previous attempts made by Plaintiff to serve Defendants. Proof of any service done pursuant to this Order shall be filed with the Clerk of Court as soon as practicable.

2. If Defendants oppose Plaintiff's Motion, a written response shall be filed with the Court and served on Plaintiff no later than **Thursday, September 3, 2020 at 5:00 p.m. MST.**
3. Plaintiff's reply, if any, shall be filed with the Court and served on Defendants no later than **Tuesday, September 8, 2020 at 5:00 p.m. MST.**
4. The Court will set a hearing on this matter if it finds that such a hearing is necessary.

DATED this 26th day of August, 2020.



MARTHA VAZQUEZ
United States District Judge